

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction – December 07, 2004  
Public Hearing – December 28, 2004

**CONTACT PERSON/PHONE:** Fred Lopez, 541-4925

**DISTRICT(S) AFFECTED:** 3

**SUBJECT:**

An Ordinance changing the zoning of Lots 43 and 44, Block 18, Brentwood Heights, El Paso, El Paso County, Texas from R-5 (Residential) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Daniel and Sonia Gonzalez. ZON04-00130 (District 3)

**BACKGROUND / DISCUSSION:**

See attached staff report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Denial Recommendation  
City Plan Commission (CPC) – Approval Recommendation

**\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\***

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



**PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT**  
**MEMORANDUM**

**DATE:** November 29, 2004

**TO:** The Honorable Mayor and City Council  
Ms. Joyce A. Wilson

**FROM:** Planning, Research & Development Department

**SUBJECT:** ZON04-00130

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The City Plan Commission (CPC), on November 11, 2004, voted **6 - 0** to recommend **APPROVAL** of rezoning the subject property from R-5 (Residential) to C-4 (Commercial), against Staff's recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **OPPOSITION** to this request.

## **STAFF REPORT**

**Rezoning Case:** ZON04-00130

**Property Owner(s):** Daniel and Sonia Gonzalez

**Applicant(s):** Daniel and Sonia Gonzalez

**Representative(s):** Dorado Engineering, Inc.

**Legal Description:** Lots 43 and 44, Block 18, Brentwood Heights

**Location:** 5438 Gateway East Boulevard

**Representative District:** # 3

**Area:** 0.15 acres

**Present Zoning:** R-5 (Residential)

**Present Use:** Vacant

**Proposed Zoning:** C-4 (Commercial)

**Proposed Use:** Offices and storage of electronic equipment

**Surrounding Land Uses:**

<b>North -</b>	R-5 (Residential) / Interstate Highway 10
<b>South -</b>	C-1 (Commercial) / Commercial and single-family residential
<b>East -</b>	R-5 (Residential) / Single-family residential
<b>West-</b>	R-5 (Residential) / Single-family residential

**Year 2025 Designation:** **Residential** (Central Planning Area)

**CITY PLAN COMMISSION HEARING, November 11, 2004,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**Zoning Case: ZON04-00130**

**General Information:**

The applicant is requesting a rezoning from R-5 (Residential) to C-4 (Commercial) in order to permit offices and storage of electronic equipment. The site is 0.15 acres in size with a vacant 840 square foot house located on the property. The proposed site plan shows the existing house with a new parking area at the rear of the house; a 12' high rock wall around the entire length of the property adjacent to the neighboring house; and a 12' high wall on the rear property line. Access is proposed via Romany Street. Four (4) parking spaces, plus one (1) handicapped accessible parking space, are provided. There are no zoning conditions currently imposed on this property.

**Information to the Commission:**

The Planning Department has received two letters in opposition to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **DENIAL** of this request for rezoning from R-5 (Residential) to C-4 (Commercial).

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.”

**The Year 2025 Projected General Land Use Map** for the **Central** Planning Area designates this property for **Residential** land uses.

**C-4 (Commercial) zoning** permits offices and storage of electronic equipment and **is not compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-4 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will offices and storage of electronic equipment be compatible with adjacent land uses?

**Information To The Applicant:**

Building Permits and Inspections Department Notes:

Shall comply with screening walls abutting R zones and parking requirements.

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

- A. Parking surface shall be upgraded to City's Standards.
- B. Driveway shall comply with Ordinance.

Fire Department Notes:

Zoning change does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

See Enclosure 1.

Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property for Residential land uses.
- B. C-4 (Commercial) zoning permits Offices and storage of electronic equipment and is not compatible with adjacent development.

**ATTACHMENTS:** Site Plan; Enclosure 1.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.



## INTEROFFICE MEMORANDUM

To: Fred Lopez  
Urban Planner/Land Development

From: El Paso Water Utilities - Engineering

Date: November 08, 2004

Subject: **ZON04- 00130 (Rezoning Case)**  
Lot 43 & 44, Block 18, Brentwood Heights (the Property).

Location: 5438 Gateway East at Romany Street.  
Present: R-5 (Residential); vacant  
Proposed: C-4 (Commercial); administrative offices

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We have reviewed the zoning change request described above and provide the following comments:

### General

5438 Gateway East has water and sanitary sewer services.

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 2nd floor at City Hall.

EPWU does not object to this request.

## LOCATION MAP

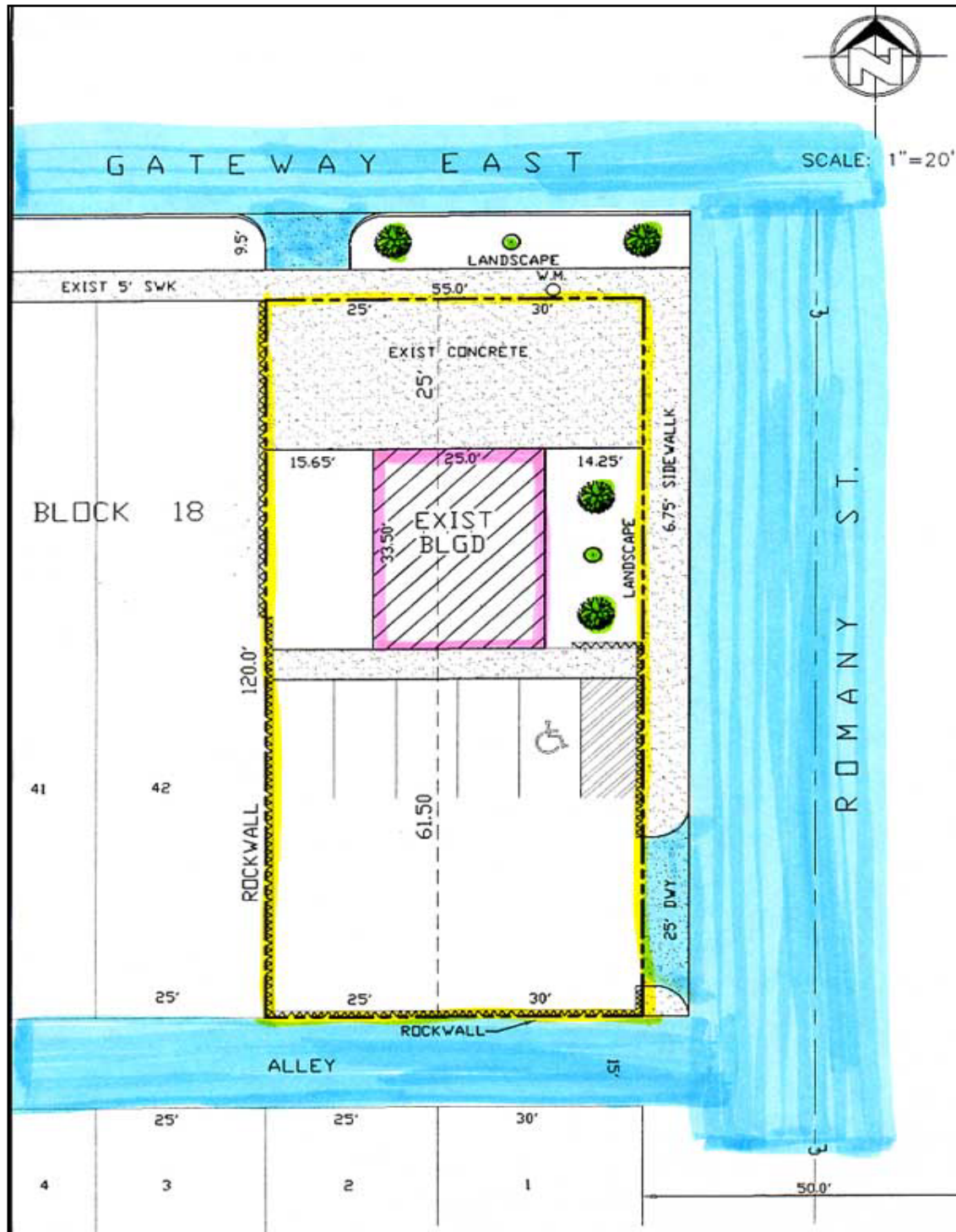


## AERIAL MAP





# GENERALIZED PLOT PLAN



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF LOTS 43 AND 44, BLOCK 18, BRENTWOOD HEIGHTS, EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *Lots 43 and 44, Block 18, Brentwood Heights, El Paso, El Paso County, Texas*, be changed from **R-5 (Residential)** to **C-4 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

THE CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

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Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development

APPROVED AS TO FORM:

\_\_\_\_\_  
Matt Watson, Assistant City Attorney